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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,534	02/26/2004	Mark Rutledge	DE001US	9479
26338	7590	10/18/2005	EXAMINER	
MERLE W. RICHMAN, III			WALK, SAMUEL J	
P.O. BOX 3333				
LA JOLLA, CA 92038			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

X

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/789,534	RUTLEDGE, MARK	
	Examiner Samuel J. Walk	Art Unit 2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 February 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

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**DETAILED ACTION**

***Claim Objections***

1. Claim 2 is objected to because of the following informalities: Claim 2 claims dependency on itself. Appropriate correction is required. To further prosecution, Claim 2 will be interpreted as being dependent on Claim 1.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 4-7, 11-13, 17-19 and 21-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In Claims 4-5, 11, 17, 18 and 24, Applicant describes mobile components which are fixed. It is unclear how an object can be mobile and fixed at the same time.

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***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1, 3-8, 10-14, 16-21 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in view of Lee (US 6091340).

In reference to Claims 1, 3-8, 10-14, 16-21 and 23-26,  
AAPA, pg 1 of the specification:

"Mobile alarm systems commonly employ a central alarm controller and one or more components. The components are physically separate from the central alarm controller (otherwise they may be incorporated into the central alarm controller). For example, in automobile alarm systems, a central alarm system may be located in a passenger compartment while an alarm indicator (component), such as a siren, may be located in an engine compartment. Commonly, the central alarm controller communicates with components, such as the alarm indicator, via one or more conductive wires. In some mobile environments, it is difficult, tedious, or nearly impossible, to run wires between the central alarm controller and some alarm components."

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A need thus exists for a mobile alarm system and method that eliminates or reduces the wiring between the central alarm controller and one or more alarm components. The present invention provides such a mobile alarm system and method."

Thus, AAPA discloses all claimed subject matter except wireless communication between vehicle components. However, Lee discloses a remote on/off disable parts system wherein components, modules, etc. communicate throughout a vehicle using wireless communication, see Col. 5 lns 12-45. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Lee into the admitted common knowledge because wireless communication is less costly to install, maintain and repair.

6. Claims 2, 9, 15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Curatolo (US 6510380).

In reference to Claims 2, 9, 15 and 22, see above rejection  
in reference to Claims 1, 3-8, 10-14, 16-21 and 23-26. In addition, AAPA discloses all claimed subject matter except performing the commonly known alarm indication in the absence of a signal between two components during a predetermined time interval. However, Curatolo teaches of a security and tracking

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system wherein signalling units 10,20, located in material assets such as components of a motor vehicle, determine emergency situations during an absence of a periodic signal from a first signaling unit to a second signaling unit using wireless communication, see Col. 3 lns 7-15 and Col. 5 lns 35-47.

Therefore, one having ordinary skill in the art at the time the invention was made would have incorporated the teachings Curatolo into the admitted common knowledge because performing emergency security functions, such as tracking or admitted alarm indication, in the absence of a periodic "presence confirmation" signal adds to the overall security of the monitored devices.

#### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chang (US 6664889) discloses a vehicle remote-control system with disarming device for an anti-theft unit. Davis (US 5477090) discloses a auto anti-theft device. Gilmore (US 5623245) discloses a remotely activated vehicle anti-theft device.

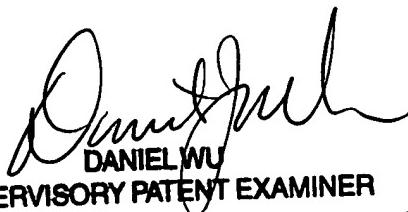
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel J. Walk whose telephone number is (571) 272-2960. The examiner can normally be reached on M-F: 8:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJW

  
DANIEL WU  
SUPERVISORY PATENT EXAMINER  
10/17/05